

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

DDA REGISTRY

FILE: 04M-2-2

Federal Information Processing Standards (FIPS)

FROM: D/ODP
STAT 2D00, Headquarters

EXTENSION

NO.

DATE

4 March 1981

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. DDA, 7D24, Hq.

Max:

This action requests your concurrence on a letter for the DCI's signature, requesting the Secretary of Commerce delegate his authority to waive Federal Information Processing Standards (FIPS) to the DCI or the DCI's designee. FIPS are promulgated by law and executive order by the National Bureau of Standards. There are about 80 standards, pertaining to hardware, software and data. To waive a standard to procure non-conforming disk equipment, for example, an agency head must obtain the approval of the Secretary of Commerce. The FIPS waiver procedures present us with definite security problems, since they involve sharing information about our computing facilities with another agency.

FIPS waiver procedures are an immediate problem because, in the near future, ODP will require a FIPS waiver to obtain the new IBM disk technology, which we view as critical to solving our computer center space problems. We believe the waiver should be granted by a senior Agency manager. Commerce has ignored a previous letter from the former DDA requesting a waiver authority delegation. We hope this DCI request will get the required action. The attached memorandum provides more details.

STAT

81-6485

ODP-81-152

27 FEB 1981

Executive Registry

81-3641

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director for Administration
General Counsel
Director of Logistics
Director of Security

FROM: Bruce T. Johnson
Director of Data Processing

SUBJECT: Federal Information Processing Standards (FIPS)

REFERENCE: Letter from the DDA, Mr. Don Wortman, to the Assistant Secretary for Productivity, Technology and Innovation, Department of Commerce, Dr. Jordan J. Baruch, dtd. 4 November 1980

1. Action Requested: Paragraph 6 is a recommendation that you sign the attached letter to the Secretary of Commerce requesting that independent authority to waive Federal Information Processing Standards (FIPS) be delegated to you or your designee.

2. Background: Federal Information Processing Standards (FIPS) are promulgated by the Department of Commerce under the provisions of Public Law 89-306 (the Brooks Act) and Part 6 of Title 15 Code of Federal Regulations. These standards are prescribed for Federal agencies in the acquisition, development, and use of automatic data processing (ADP) systems and in the interchange of data between and among agencies and with the public. The use of such standards, which are adopted after review by Federal agencies, industry, and the public, is intended to reduce Government costs and improve the effectiveness of ADP services. We are supportive of a well-managed Federal ADP standards program. However, the unique nature of intelligence, with its concomitant security concerns, causes us special problems with respect to the open procedures surrounding the FIPS program.

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3. Each FIPS standard has associated with it a waiver procedure, whereby, if adverse economic or operational impact can be demonstrated, an agency may utilize equipment or software that does not conform to the standard. Authority to waive these standards resides, depending on the standard, with the Department of Commerce or the agency head. (Even those standards where the waiver authority resides with the agency head still require "coordination in advance" with the Department.) Heretofore, we have not made any formal waiver requests. As the standards program has become more active and increased in scope, we find that full conformance with existing standards is not, in our judgment, in the Agency's interest. In the future, we will require occasional waivers and, therefore, we are concerned about the security implications of FIPS waiver procedures. These procedures generally will require sensitive information on Agency ADP systems be shared with the Department of Commerce. We have described our security concerns in more detail in the attached letter to the Secretary of Commerce.

4. Our concern with the FIPS waiver procedures is not hypothetical. For example, we have a near-term problem with FIPS 60-63, which deal with input/output interface standards and would deny us use of some new mass storage (disk drive) technology vital to our ADP programs. We believe we have a strong case for a waiver from FIPS 60-63. However, the existing waiver procedures for FIPS 60-63 require approval of the waiver request by the Secretary of Commerce. We are reluctant to make our case through these existing procedures because of the precedent it sets and the security implications of having another department in our ADP procurement process. Again, our concern is with all FIPS and not just FIPS 60-63.

5. The Secretary of Commerce, under the previous administration, delegated certain FIPS authority to the former Assistant Secretary for Productivity, Technology and Innovation, Dr. Jordan J. Baruch. On 5 November 1980, our former Deputy Director for Administration, Don Wortman, sent a letter to Dr. Baruch requesting a general delegation of FIPS waiver authority to the DCI. The letter (reference) outlined our security rationale for requesting such a delegation. Three months have elapsed and we have had no formal response. The informal response is that Commerce is taking action to delegate waiver authority, pertaining specifically to FIPS 60-63, to the

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heads of all agencies. We welcome this move, but unfortunately it will not be timely enough for our immediate procurement needs. Such a delegation will require a minimum of three and more realistically six months to implement and even then it will address only FIPS 60-63, not other current or future FIPS. A timely response from the Secretary of Commerce to the attached waiver delegation request would overcome these drawbacks.

6. Recommendation: We recommend that you send the attached letter to the Secretary of Commerce reiterating our previous unanswered request for a delegation of independent authority to you or your designee to grant waivers to Federal Information Processing Standards (FIPS).

/s/ Bruce T. Johnson

Bruce T. Johnson

Attachment:

Letter to the Secretary of Commerce

SUBJECT: Federal Information Processing Standards (FIPS)

CONCUR:

151 Max Neigel
Deputy Director for Administration

5 Mar 81
Date

/s/ Daniel B. Silver
General Counsel

MAR 4 1981
Date

/s/ James H. McDonald
Director of Logistics

11 MAR 1981
Date

/s/ [REDACTED]
Director of Security

2 MAR 1981
Date

APPROVED:

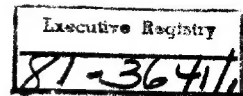
/s/ William J. Casey
Director of Central Intelligence

5 MAR 1981
Date

ODP/MS/RJW:jal/[REDACTED] (February 1981)

Distribution:

- Original - DCI, w/atts.
- 1 - DDCI, w/atts.
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- 1 - General Counsel, w/atts.
- 1 - Director of Logistics, w/atts.
- 1 - Director of Security, w/atts.
- 2 - D/ODP
- 2 - ODP/MS
- 2 - ODP Registry



5 MAR 1981

The Honorable Malcolm Baldrige
The Secretary of Commerce
14th and Constitution Avenue
Washington, D. C. 20230

Dear Malcolm:

In a letter to Dr. Jordan Baruch, former Assistant Secretary for Productivity, Technology and Innovation, Department of Commerce, dated 4 November 1980, this Agency's former Deputy Director for Administration, Mr. Don Wortman, requested that the Department delegate to the Director of Central Intelligence (DCI) independent authority to grant, for this Agency, waivers of the provisions of Federal Information Processing Standards (FIPS) promulgated by the Department. The letter set forth various security concerns which are raised by the current FIPS waiver procedures and explained the delegation of procurement authority which, on account of similar concerns, the Agency has obtained from the General Services Administration. We have received no formal response to this request and because of the importance I attach to it, I would like to take this opportunity to reiterate our concerns and the straightforward procedure that I believe will alleviate them.

As you know, requests for waivers from FIPS, depending on the standard, either require coordination in advance with the Department, or your approval. In order to support a waiver request, extensive documentation is typically required by the Department. For example, one group of FIPS (FIPS 60-63) explicitly describe what must be included in a waiver request: "1) a description of the existing or planned ADP system for which the waiver is being requested, 2) a description of the system configuration, identifying those items for which the waiver is being requested, and including a description of planned expansion of the system configuration at any time during its life cycle, and 3) a justification for the waiver, including a description and discussion of the major adverse economic or operational impact that would result through conformance to this standard as compared to the alternative for which the waiver is requested."

This waiver request procedure is cause for considerable security concern to senior CIA management. Under the statutory provisions of the National Security Act of 1947, as amended, the DCI is charged with the responsibility for protecting intelligence sources and methods. Relating this to current and anticipated acquisitions of automatic data processing equipment (ADPE), it is our considered judgment that disclosure through the waiver process of the Agency's capabilities and location of its resources would not only adversely affect the proper discharge of this responsibility but would also, in some cases, represent a grave threat to national security. Our ADPE, whether general purpose or unique to our requirements, is utilized for extremely sensitive intelligence information processing, communications, and real-time intelligence-operation requirements. The type and location of equipment represent, for foreign intelligence agencies, prime targets in terms of operational utilization, equipment capabilities, or the readability of signal emanations. Of equal significance is the fact that, in certain instances, identification with the Agency of specific equipment or sites of operations could be extremely embarrassing to the United States or to friendly foreign governments.

It is my firm opinion that a delegation of independent FIPC waiver authority to the Director of Central Intelligence with appropriate redelegation authority would best protect the national security interests involved in the acquisition and use of ADPE by the Central Intelligence Agency for intelligence information processing, communications and intelligence operational applications. I therefore request that the Secretary of Commerce delegate to the DCI independent authority to grant, for this Agency, waivers of the provisions of Federal Information Processing Standards promulgated by the Department of Commerce.

Your favorable consideration of this request will be sincerely appreciated. I would be pleased to make available the appropriate members of my staff to develop in conjunction with your representatives a suitable delegation of waiver authority. My Director of Data Processing, Mr. Bruce T. Johnson, is available to answer any technical questions you may have. He can be reached at [REDACTED]

Yours,

/s/ William J. Casey

William J. Casey

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Approved For Release 2003/08/13 : CIA-RDP84B00890R000500030072-3

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